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PATENT  
Customer No. 22,852  
Attorney Docket No. 03495.0308-00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                              |   |                        |
|------------------------------|---|------------------------|
| In re Application of:        | ) |                        |
|                              | ) |                        |
| Stephen GIRARDIN et al.      | ) | Group Art Unit: 1646   |
|                              | ) |                        |
| Application No.: 10/808,735  | ) | Examiner: Not assigned |
|                              | ) |                        |
| Filed: March 25, 2004        | ) | Confirmation No.: 5618 |
|                              | ) |                        |
| For: A METHOD FOR MODULATING | ) |                        |
| NOD1 ACTIVITY, USE OF A MTP  | ) |                        |
| RELATED MOLECULE FOR         | ) |                        |
| MODULATING NOD1 ACTIVITY,    | ) |                        |
| AND THERAPEUTIC              | ) |                        |
| APPLICATIONS THEREOF         | ) |                        |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached PTO/SB/08. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached. The attached documents were cited in the International Search Report in the corresponding PCT Application No. PCT/IB2004/001318.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

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Dated: July 20, 2005

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Complete if Known

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

1

Application Number

10/808,735

Filing Date

March 25, 2004

First Named Inventor

Stephen GIRARDIN et al.

Art Unit

1646

Examiner Name

Unassigned

Attorney Docket Number

03495.0308-00000

## U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

| Examiner Initials | Cite No. <sup>1</sup> | Document Number                          | Issue or Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-------------------|-----------------------|--|---|---|---|
|                   |                       | Number-Kind Code <sup>2</sup> (if known) |   |   |   |
|                   |                       | US-2002/0197693 A1                       | 12/26/2002                              | BERTIN  |   |
|                   |                       |  |   |   |   |
|                   |                       |  |   |   |   |
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Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

## FOREIGN PATENT DOCUMENTS

| Examiner Initials | Cite No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | Translation <sup>6</sup> |
|-------------------|-----------------------|---|--------------------------------|---|---|--------------------------|
|                   |                       | Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known) |                                |   |   |                          |
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|                   |                       |   |                                |   |   |                          |
|                   |                       |   |                                |   |   |                          |

## NON PATENT LITERATURE DOCUMENTS

| Examiner Initials | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation <sup>6</sup> |
|-------------------|-----------------------|---|--------------------------|
|                   |                       | International Search Report in corresponding PCT/IB2004/001318  |                          |
|                   |                       | Stephen E. GIRARDIN et al.; Nod2 is a General Sensor of Peptidoglycan through Muramyl Dipeptide (MDP) Detection; The Journal of Biological Chemistry, Vol. 278, No. 11, pp. 8869-72 (2003)  |                          |
|                   |                       | Naohiro INOHARA et al.; Human Nod1 Confers Responsiveness to Bacterial Lipopolysaccharides; The Journal of Biological Chemistry, Vol. 276, No. 4, pp. 2551-54 (2001)  |                          |
|                   |                       | Tsuyoshi UEHARA and James T. PARK; Identification of MpaA, an Amidase in <i>Escherichia coli</i> that Hydrolyzes the $\gamma$ -D-Glutamyl-meso-Diaminopimelate Bond in Murein Peptides; Journal of Bacteriology, Vol. 185, No. 2, pp. 679-82 (2003)             |                          |
|                   |                       | Stephen E. GIRARDIN et al.; Peptidoglycan Molecular Requirements Allowing Detection by Nod1 and Nod2; The Journal of Biological Chemistry, Vol. 278, No. 43, pp. 41702-08 (2003)  |                          |

Examiner  
SignatureDate  
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.